

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

2005 FEB 15 P 12:43

* * * * * 05 10333 MLW * * * * *

NORTH AMERICAN INDUSTRIES, INC.*
*
Plaintiff * Civil Action No.
*
vs. *
*
CALIBER ONE INDEMNITY COMPANY *
Defendant *
*
* * * * *

APPLICATION FOR ADMISSION PRO HAC VICE

Pursuant to the Local Rule 83.5.3, the undersigned Applicant requests that Attorney Keith R. Ainsworth be permitted by this Court to appear pro hac vice in the above-captioned case on behalf of North American Industries, Inc..

The Applicant respectfully represents:

1. The Applicant, an attorney with the firm of Cohn & Dussi of the Massachusetts and United States District Court Bars, has filed an appearance on behalf of the Plaintiff.

2. Plaintiff, North American Industries, Inc. is a corporation located in Woburn, Massachusetts.

3. Good cause exists for the granting of this Application in that Attorney Ainsworth and his firm have a particular attorney-client relationship with the Plaintiff with respect to the issues presented by the above-captioned declaratory judgment

action predating the litigation at bar. Attorney Ainsworth and his firm have acquired a specialized knowledge of the litigation aspects of the Plaintiff's business affairs important to the trial of this case in that Attorney Ainsworth currently represents North American Industries, Inc. in the underlying complex litigation pending in Connecticut state court upon which this declaratory judgment action is founded.

4. Attorney Keith Ainsworth is a member of the firm of Evans, Feldman & Boyer, LLC with an address at 261 Bradley Street, New Haven, Connecticut 06507-1694. Attorney Ainsworth is a member in good standing of the courts of the state of Connecticut and the federal District of Connecticut and the United States Supreme Court and neither he nor any member of his firm has been denied admission or disciplined by this or any other Court.

5. The Applicant, if necessary, shall be present at all proceedings and shall sign all pleadings, briefs and other papers filed with this Court and shall assume full responsibility for them and for the conduct of the cause and of Attorney Ainsworth, if permitted to appear pro hac vice on behalf of the Plaintiff.

6. The Applicant supports this Application with the Affidavit of Attorney Ainsworth. The Affidavit, marked as Exhibit A, is attached hereto and incorporated herein.

WHEREFORE, the Applicant prays that this Court grant this Application to permit Attorney Ainsworth to appear pro hac vice on behalf of the Defendants.

Dated this 11th day of February, 2005, at Boston,
Massachusetts.

APPLICANT,

By: Michael Theodor
Michael Theodore, Esq.
Cohn & Dussi
25 Burlington Mall Road, 6th Floor
Burlington, MA 01803-4158

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

* * * * *
*
NORTH AMERICAN INDUSTRIES, INC.*
*
Plaintiff * Civil Action No.
*
vs. *
*
CALIBER ONE INDEMNITY COMPANY *
Defendant *
*
* * * * *

ORDER

WHEREAS, the foregoing Application for an order allowing Attorney Keith R. Ainsworth to appear, pro hac vice, on behalf of Plaintiff was presented to the Court; and

WHEREAS, good cause has been shown for according this privilege to Attorney Keith R. Ainsworth by reason of his and their firm's specialized attorney-client relationship with Plaintiff predating this cause of action;

IT IS ORDERED that Attorney Keith R. Ainsworth is permitted to appear, pro hac vice, on behalf of the Defendant, North American Industries, Inc. a corporation of Woburn, Massachusetts.

Dated this _ day of _____, 2005 at _____,
Massachusetts.

Judge of the District Court